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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Fund for Empowerment, *et al.*,

Plaintiffs,

v.

City of Phoenix, *et al.*,

Defendants.

No. CV-22-02041-PHX-GMS

**PLAINTIFFS' MOTION FOR
TELEPHONIC APPEARANCE AT
MAY 23, 2023 HEARING**

Plaintiffs Fund for Empowerment, Faith Kearns, Frank Urban, and Ronnie Massingille ("Plaintiffs"), respectfully request that the Court permit Leah Watson and Scout Katovich to appear telephonically at the May 23, 2023 hearing on Plaintiffs' Request for Modification of Preliminary Injunction and Motion for Order to Show Cause. This Motion is supported by the following Memorandum of Points and Authorities as well as

1 Plaintiffs' Request for Modification of Preliminary Injunction and Motion for Order to
2 Show Cause, Doc. 59.

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4 **MEMORANDUM OF POINTS AND AUTHORITIES**

5 Local Rule of Civil Procedure 7.2(h) provides the Court with discretion to allow a
6 speaker telephone conference line for oral argument as long as "all conversations of all
7 parties are audible to each participant and the Court." *Id.*

8 A speaker telephone conference line would allow Ms. Watson and Ms. Katovich,
9 who represent Plaintiffs in this matter and have been admitted *pro hac vice*, to participate
10 in the May 23, 2023 hearing. Plaintiffs filed a Motion for Modification of Preliminary
11 Injunction and Motion for Order to Show Cause on May 16, 2023. On May 19, 2023, this
12 Court scheduled these motions for a hearing on May 23, 2023. Ben Rundall will appear in
13 person and lead argument for the Plaintiffs. Ms. Watson and Ms. Katovich are based in the
14 New York office of the American Civil Liberties Union and unable to travel to Phoenix for
15 the May 23, 2023 hearing. They would like to appear telephonically because they collected
16 evidence from witnesses to the May 10, 2023 sweep in support of Plaintiffs' claims and
17 contributed to drafting the motions at issue.
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21 **CONCLUSION**

22 For the foregoing reasons, Plaintiffs respectfully request the Court to enter the
23 proposed Order Granting Plaintiffs' Motion for Telephonic Appearance filed
24 contemporaneously herewith.
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1 DATED this 22nd day of May, 2023.

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3 By: /s/ Benjamin L. Rundall

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17 By: /s/ Leah Watson

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